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S T A T E M E N T
O F
DONALD HULL

ORIGINAL

IN RE: In the Matter of the Albion-Sheridan Township
Landfill Site

BY: MR. KURT N. LINDLAND
77 West Jackson Blvd.
Chicago, Illinois 60604, appearing on behalf
of the U.S. Environmental Protection Agency.

MR. CHARLES E. BARBIERI
313 South Washington
Lansing, Michigan 48933, appearing on behalf
of the Deponent, Donald Hull.

REPORTED BY: ACRO COURT REPORTERS, INC.
(Toni L. VanSyckle, Reporter)

At Albion City Hall, 112 Case Street, Albion
Michigan, on Thursday, June 4, 1992 commencing at or about
the hour of 2:05 p.m.



C O N T E N T SWITNESSPAGE

DONALD HULL

Examination by Mr. Lindland. 3

E X H I B I T S

No Exhibits

1 DONALD HULL,
2 having been first duly sworn, was examined and testified
3 under oath as follows:

4 EXAMINATION BY MR. LINDLAND:

5 Q. Would you state your name for the record, please?

6 A. Donald Hull, H-U-L-L.

7 MR. LINDLAND: Mr. Hull, my name is Kurt Lindland.
8 As I indicated before, I'm an attorney with the United
9 States Environmental Protection Agency. The reason
10 we're here today is for purposes of determining
11 liability and for otherwise gathering information with
12 respect to the Albion Township Landfill Site.

13 Are you familiar with the oath that you just took?

14 THE WITNESS: Familiar with what, sir?

15 MR. LINDLAND: The oath that you just took?

16 THE WITNESS: Yes.

17 MR. LINDLAND: You recognize that oath as binding
18 upon you today as it would be in a court of law?

19 THE WITNESS: Yes.

20 MR. LINDLAND: Okay. If there's a question that I
21 ask that you don't understand, just say you don't
22 understand and I'll rephrase it.

23 If you need to leave for any reason, you know, I'm
24 sure we can arrange it. Usually I break roughly every
25 hour, depending on how fast we move along today.

1 MR. BARBIERI: Like to finish it within the first
2 hour.

3 MR. LINDLAND: I would too.

4 Q. (BY MR. LINDLAND) Okay, if you could please state in
5 summary form your education beginning with high school.

6 A. Graduated in 1943 and had a year and a half of Albion
7 College.

8 Q. Okay. From what high school did you graduate?

9 A. Pardon me?

10 Q. From which high school did you graduate?

11 A. Albion High School.

12 Q. And then you went to Albion College in what year then?

13 A. A year and a half: 1946 through 1947.

14 Q. What kind of classes did you take at Albion College?

15 A. Mostly 101, biology, I think I couldn't get into math,
16 the English, history.

17 Q. Okay. Did you have any other formal or informal
18 training after that --

19 A. No.

20 Q. -- of any kind?

21 Any seminars, anything of that nature?

22 A. I have a real estate license.

23 Q. Okay. Was that -- what year was that?

24 A. Around '72.

25 Q. Okay. Anything in the way of classes or course work?

1 A. No.

2 Q. Beginning with, I guess, in 1948, where did you first
3 begin employment?

4 A. Excuse me now?

5 Q. Starting in 1948, where did you first begin employment,
6 where did you first work after you went to Albion
7 College for a year and a half?

8 A. Oh, Blyveis, B-L-Y-V-E-I-S, Iron and Metal Company.

9 Q. What type of company was that?

10 A. Iron and metal, scrap, recycle material.

11 Q. And that was located here in Albion?

12 A. Yes.

13 Q. How long did you work there?

14 A. 35 years.

15 Q. 35 years. What was your position when you first
16 started there?

17 A. Laborer.

18 Q. Did your responsibilities ever change?

19 A. Yes.

20 Q. And what did you -- what was your next responsibility
21 or job title?

22 A. Supervisor.

23 Q. Do you remember who trained you or who hired you?

24 A. Mr. Peter Blyveis hired me.

25 Q. Is Mr. Blyveis around today?

- 1 A. No.
- 2 Q. As supervisor, what were your responsibilities?
- 3 A. Mostly just give people in the morning to go to work,
4 paper bailer and work on the shearer, trucks go out to
5 pick up scrap.
- 6 Q. I'm sorry, could you restate that?
- 7 A. Trucks go out to pick up scrap metal.
- 8 Q. You mentioned shears?
- 9 A. Shearer.
- 10 Q. What exactly is a shearer, a metal shredder?
- 11 A. Cut up channel iron, heavy gauge sheet metal.
- 12 Q. What other material did Blyveis deal in, was it
13 strictly metal and paper?
- 14 A. Metal and paper, yes, that's all.
- 15 Q. What about plastics or anything else, wood products?
- 16 A. No, not at that time, no.
- 17 Q. Did your responsibilities change from supervisor?
- 18 A. Yes, when Mr. Blyveis died in 1960, I became president
19 of the company.
- 20 Q. And briefly what were your responsibilities as
21 president?
- 22 A. Overseeing the workers, making contacts with industrial
23 plants that we serviced, that we bought scrap from.
- 24 Q. So when you worked for Mr. Blyveis, he was the only
25 person above you; is that correct?

- 1 A. Yes.
- 2 Q. Okay, who was the supervisor then when you were
3 president?
- 4 A. There wasn't any supervisors.
- 5 Q. How many employees were there while Mr. Blyveis was
6 there?
- 7 A. Probably four to six.
- 8 Q. And then when you were president?
- 9 A. About the same amount.
- 10 Q. Okay. And how long did you work for Blyveis?
- 11 A. 35 years.
- 12 Q. Okay, so that would be till roughly 1978?
- 13 A. Yes.
- 14 Q. And where was your next job?
- 15 A. City of Albion.
- 16 Q. And when did you begin employment there?
- 17 A. 1981.
- 18 Q. Did you ever work for a company called White Hull?
- 19 A. I was a sole proprietor.
- 20 Q. During what time period did you -- were you the sole
21 proprietor?
- 22 A. 1962, 1980.
- 23 Q. What was the nature of White Hull's business?
- 24 A. Reclamation, salvage of material from Albion Malable,
25 and hauling out waste sand, terminology waste foundry

1 sand.

2 Q. Albion Malable, which later became Hayes-Albion, which
3 is now Harvard Industries?

4 A. Yes.

5 Q. What were your responsibilities as the sole proprietor
6 of White Hull?

7 A. Having a contract with Malable on a year-to-year basis
8 and supervising several people.

9 Q. Okay. You say that between 1962 and 1980 you were
10 basically running White Hull; is that correct?

11 A. Yes.

12 Q. So for a period of time, you were both working for
13 Blyveis and running White Hull?

14 A. Yes.

15 Q. Why did you leave Blyveis in 1978?

16 A. Actually we went out of business, all of our customers
17 left town.

18 Q. And in 1980 then -- I'm sorry, 1981 you began working
19 for the City of Albion?

20 A. Yes.

21 Q. Why did you stop White Hull or cease White Hull's
22 operation in 1980?

23 A. Couldn't come to terms on contract.

24 Q. With Hayes-Albion or Albion --

25 A. Yes.

1 Q. It was Hayes-Albion at that time?

2 A. Yes.

3 Q. I see. Did Hayes-Albion contract with someone else
4 then, do you know?

5 A. Yes.

6 Q. Do you remember what the name of the company was?

7 A. No, I don't. I know they were from Jackson.

8 Q. What were your responsibilities while you were at the
9 City of Albion?

10 A. I was superintendent of streets.

11 Q. And briefly could you describe those responsibilities?

12 A. Keep the streets clean of debris and repair asphalt,
13 taking care of the tree dump where they take the tree
14 limbs and things and burning that off periodically,
15 maintenance of the trucks within the city. That covers
16 about most of the time.

17 Q. Were you responsible for contracting with Gordon
18 Stevick in any way for the use of his landfill?

19 A. No.

20 Q. Were your responsibilities while you were working for
21 the city in any way related to waste disposal?

22 A. Yes.

23 Q. And how were those responsibilities related to waste
24 disposal?

25 A. Terminology of waste disposal the city has a spring

1 clean up, usually middle of May and all the debris your
2 home may have and your home that didn't go in the
3 garbage and that would be put on the curb or gutter and
4 city trucks come around and pick it up.

5 Q. And that was once a year you say?

6 A. Yes.

7 Q. Did you ever pick up any material from industries
8 during that spring clean up or was that just
9 households?

10 A. Just households, yes.

11 Q. Okay. And how long did you work for the City of
12 Albion?

13 A. Ten years and a month.

14 Q. Ten years and a month, okay. So until roughly 1991?

15 A. Yes.

16 Q. Okay. And were you employed after that?

17 A. No.

18 Q. Why did you leave the city in 1991?

19 A. I was here long enough to be vested to retire and have
20 a pension.

21 Q. Okay. So you retired?

22 A. Yes.

23 Q. Enjoying your retirement?

24 A. Well, it didn't start out too well.

25 Q. All right, have you ever been deposed before, and by

1 that, I mean have you ever sat down with someone like
2 myself asking you questions and a court reporter?

3 A. No, not with a court recorder.

4 Q. In any other circumstance have you been interviewed in
5 any way?

6 A. Yes. Mr. Rieger, who was superintendent -- director of
7 public works asked me to come up, I don't know, a year
8 ago last November or somewhere in there and there was
9 some people here from your office: Mr. Rogers.

10 Q. Paul Rogers?

11 A. And Mr. Robinson, and then there was another lawyer
12 from Grand Rapids and they were expounding on the city.

13 Q. Okay. What about in any other matters, have you ever
14 been a witness to say a traffic accident or anything of
15 that nature where you were asked questions or
16 interviewed in a similar fashion?

17 A. No.

18 Q. Have you ever testified --

19 A. Excuse me, excuse me, I was but never called upon.

20 Q. What was the nature of the action, do you remember?

21 A. That was a beating up on the 7 hundred block of north
22 Albion Street. There were several people beating up on
23 another person, and I was right there when it was
24 transpiring; and I remember the one face, so they
25 eventually got the other several and brought them back

1 here in this courtroom here and I was never called
2 upon.

3 Q. Oh, to testify at that trial or hearing or whatever?

4 A. Yes.

5 Q. Have you ever testified in any other trial, I mean any
6 trial, period?

7 A. No.

8 Q. Did you speak with anyone about this deposition prior
9 to coming here today?

10 A. This man.

11 MR. BARBIER: Counsel.

12 Q. (BY MR. LINDLAND) Did you speak with anyone other than
13 your counsel?

14 A. No.

15 Q. Have you read anything with respect to the Albion
16 Township Landfill or EPA's clean up in the newspaper or
17 anywhere else?

18 A. Yes.

19 Q. Do you remember what the nature of the article was or
20 what they --

21 A. There was so much repetitious pretty near.

22 Q. Do you remember anything about it?

23 A. No.

24 Q. Did you review any documents before you came here today
25 with respect to the Albion Township Landfill?

1 A. No. Excuse me, I guess I looked at one thing here: the
2 only thing I had was the file here and that was hours
3 and the charges: fees.

4 Q. Is this the only copy you have of this?

5 A. I'm thinking yes right now.

6 Q. Maybe we can get a copy made and attach the copy to
7 this deposition so you can keep this?

8 A. Okay.

9 Q. But I'll get a copy made in a minute.

10 MR. BARBIERI: If I could interject. Will he be
11 provided with a copy of this?

12 MR. LINDLAND: If you'd like one.

13 MR. BARBIERI: Yes.

14 MR. LINDLAND: Sure.

15 Q. (BY MR. LINDLAND) Okay, I'd like to ask you some
16 questions about, first, your job at Blyveis.

17 You mentioned that you were first a laborer there?

18 A. Yes.

19 Q. What exactly were your job responsibilities as a
20 laborer?

21 A. Learning to cut the scrap metal on the shearer, and
22 going around and picking up batteries at the garages
23 around town, going out with a truck to the plants and
24 learning to pick up scrap in certain areas of the
25 plant.

- 1 Q. Of what plant?
- 2 A. Longeran and Union Steel.
- 3 Q. What was the first one you mentioned?
- 4 A. Longeran.
- 5 Q. Could you spell that?
- 6 A. L-O-N-G-E-R-A-N.
- 7 Q. Are they still in business now?
- 8 A. No.
- 9 Q. Union Steel?
- 10 A. Yes.
- 11 Q. Any other companies?
- 12 A. Service Caster and Truck Company.
- 13 Q. Is that company still in business?
- 14 A. No.
- 15 Q. You mention that you would pick up batteries from, you
- 16 said --
- 17 A. Garages, yes.
- 18 Q. Garages around town.
- 19 Do you remember which garages?
- 20 A. Buicks, Plymouth, Chevrolet, Ford.
- 21 Q. Just all the car dealers in town?
- 22 A. Some gas stations.
- 23 Q. Okay. Later on I'll read off a list of some of those
- 24 gas stations and we'll talk a little bit more about
- 25 that then.

1 A. Okay.

2 Q. Did you have any other responsibilities as a laborer?

3 A. Not really, not for awhile.

4 Q. Okay, that was -- okay, that was early 1943, right?

5 A. No '48.

6 Q. '48, I'm sorry.

7 Did you pick up anything other than batteries and
8 steel that you can recall?

9 A. No. Once in awhile there would be a fire person that
10 would have enough material for us to go out and pick
11 up, and we go out on the farm and pick up scrap wagons,
12 scrap something, and cut it up and put it on the truck
13 and bring it in. But very seldom.

14 Q. That was scrap iron and steel as well?

15 A. Yes.

16 Q. Okay. When you became president -- if we could go back
17 first.

18 When you were a laborer, did you actually go out
19 and do that yourself?

20 A. Yes.

21 Q. Okay, who else did you work with on those kinds of
22 jobs, do you remember?

23 A. A gentleman by the name of Sylvester Munjin (phonetic).

24 Q. Do you know if he's in the Albion area still?

25 A. He is past away.

1 Q. When you became president of Blyveis, what exactly were
2 you responsible for?

3 A. Instructing the workers, telling them what to do in the
4 yard and in the way house, instructing them where to go
5 to get the scrap on a particular day, and keeping in
6 contact with all the person, agents that we would
7 negotiate price for the month.

8 Q. So did you do the negotiating for the price for each
9 month for the pick up?

10 A. Yes.

11 Q. And what companies did you service?

12 A. Union Steel, Service Caster, McGraw Edison.

13 Q. And McGraw Edison. When did you first start servicing
14 McGraw Edison?

15 A. They were being serviced when I started working at
16 Blyveis.

17 Q. Okay, now when you were a laborer, did you ever go to
18 McGraw Edison and pick up any material?

19 A. Yes, I'd drive a truck up there, yes.

20 Q. And what kind of material would you pick up at McGraw
21 Edison?

22 A. There would be call it skeletons of sheet metal half as
23 big as this table and they'd press out and be pieces 20
24 gauge, heavier than that. They'd put them in scrap
25 containers and put them on a forklift, put them on the

1 truck and take them down to the railroad site.

2 Q. Did you pick up any other material there?

3 A. No.

4 Q. When contracts were made between Blyveis and some of
5 these, we'll call them clients or customers, who wrote
6 the contracts.

7 A. Per se I guess it was just be a purchase order; like we
8 were allowed to move scrap out of the premises for the
9 month and that type of thing.

10 Q. So it was more an oral agreement?

11 A. Yes.

12 Q. Okay. What about the accounting on behalf of Blyveis,
13 who was responsible for that part of the business, was
14 that you?

15 A. Yes.

16 Q. Okay. You mention earlier that you recall having a
17 discussion with Paul Rogers of EPA's office. Do you
18 remember that discussion?

19 A. Yes.

20 Q. During that discussion, you had mentioned that there
21 were some drums of paint material that came --

22 A. One moment now. I was brought down here on the premise
23 of city work, okay. City folks left and Paul asked
24 me -- asked me a few questions about McGraw and Stevick
25 landfill. So unbeknowns to me that this was what was

1 transpiring. I was not here on my own free will and
2 accord to relay any information to Paul. At that time,
3 he asked me in a genuine way, and I responded in a
4 genuine way and that's how the premise of the landfill
5 and McGraw got tied in.

6 Q. Okay.

7 A. Then after that transpired, he wanted some more
8 information and I said to Paul, "I gave you that stuff
9 there". It must have been probably about 45 minutes to
10 an hour, whatever he was writing down. I said, "I gave
11 you that, everything of my heart right there, it should
12 all be there". And he said it would be recorded, he
13 said that wasn't good enough. I said, well, I don't
14 know.

15 So then he mentioned about the court stenographer
16 and I said, "that information I gave you, they won't
17 accept it, my goodness" and in his handwriting and
18 everything else.

19 MR. LINDLAND: Right. If we can go off the record
20 for a minute.

21 (Off-the-record discussion)

22 Q. (BY MR. LINDLAND) For the record, when you spoke with
23 Paul Rogers of our office, you mentioned some drums
24 with some paint material in them that came from McGraw
25 Edison. Were those drums open?

- 1 A. Yes.
- 2 Q. Were they full drums?
- 3 A. In what sense?
- 4 Q. Well, first of all, what size drums were they?
- 5 A. 55 gallon drum.
- 6 Q. Approximately when did you see them out there, do you
- 7 remember, or when did you pick these drums up?
- 8 A. At McGraw?
- 9 Q. Uh-huh.
- 10 A. It would vary: once a week, once every other week,
- 11 something in that range.
- 12 Q. Was this while you were a laborer?
- 13 A. Oh, no.
- 14 Q. Or later?
- 15 A. Much, much later. I can't even give you a date on that
- 16 when they were.
- 17 Q. Approximately '60's, 1970's?
- 18 A. I really don't have a date.
- 19 Q. Okay. Prior to 1980?
- 20 A. Yes.
- 21 Q. After 1960?
- 22 A. Yes.
- 23 Q. And you mentioned you picked up how many a week
- 24 approximately?
- 25 A. Once a week or every other week we'd pick them up.

1 Q. Okay. And what kind of truck would you use to pick
2 them up in?

3 A. Probably at that time it was a dump truck.

4 Q. A dump truck?

5 A. Yes.

6 Q. And were the drums loaded into the dump truck by McGraw
7 Edison or --

8 A. Yes.

9 Q. And how would they load those drums in there?

10 A. With a fork truck.

11 Q. Do you remember approximately how many drums a week you
12 would pick up there?

13 A. If I say five to eight a week, probably would be a good
14 score.

15 Q. And that was pretty consistent?

16 A. No.

17 Q. Was there a variation in how many drums?

18 A. All depends on their sales.

19 Q. So what was, say, a minimum?

20 A. Well, going for 12, 12 months out of the year at
21 various times they wouldn't be using so much paint on
22 the material, they wouldn't have orders to ship out, so
23 it would vary through the year per week type thing.

24 Q. Okay. What color were the drums, do you remember?

25 A. Oh, some of them were blue, some were black.

1 Q. Okay. And did you just leave the drums out there at
2 the landfill?

3 A. Yes, the dump trucks take them out and dump them in an
4 area and that would be it.

5 Q. And that's at the Stevick landfill or the
6 Albion-Sheridan Landfill, correct?

7 A. Yes.

8 Q. What kind of material exactly was in the drums, do you
9 know?

10 A. Could have been slurry, it could have been just some
11 color clouded material, liquid; could be half full.

12 Q. Okay. When you say a slurry, what do you mean by
13 slurry?

14 A. Probably water and just a little bit of mud, enough so
15 it wouldn't be a liquid.

16 Q. Okay, something thicker than a liquid but thinner than
17 a solid?

18 A. Yes.

19 Q. A new phase.

20 And what color was this stuff usually?

21 A. Cloudy, clear; the paint itself would be whatever,
22 brownish.

23 Q. Do you remember whether it was any other colors: bright
24 blues, or greens, or anything?

25 A. No. Probably a gray if anything.

1 Q. Do you remember whether this material had any vapors to
2 it or smelled in any way?

3 A. No, nothing -- no.

4 Q. Nothing that you remember?

5 A. Yes.

6 Q. Were the drums in pretty good condition?

7 A. Mostly, yes.

8 Q. And most of them had lids or did not have lids?

9 A. They had the top part still on them. In other words,
10 they were not -- wouldn't take the tops off, just cut
11 around and do what they wanted, put material in there
12 and be a little of everything and floor sweepings, some
13 band iron, this type of thing.

14 Q. Do you remember whether the drums had any lettering on
15 them or numbers?

16 A. I'm thinking there are some numbers, some letters,
17 yeah.

18 Q. Do you remember what color those were painted on?

19 A. No.

20 Q. Or stencilled or whatever?

21 A. There was some from Cleveland, I know that.

22 Q. Some of the drums were from Cleveland?

23 A. Yeah.

24 Q. Do you remember what they said on them, were there
25 names on the side?

1 A. No.

2 Q. Again, referring to your interview with Paul Rogers,
3 you mentioned that you had asked McGraw Edison whether
4 the material would burn your skin, do you remember
5 that?

6 A. Yes.

7 Q. Do you remember what led you to ask them whether the
8 material would burn your skin?

9 A. I don't understand the question.

10 Q. Why did you ask McGraw Edison that?

11 A. Well, safety reasons as far as personnel.

12 Q. Was there something about the material itself that led
13 you to believe that it might burn your skin?

14 A. No, no, just paint, I guess, probably only standoffish
15 thing.

16 Q. Just knowing that it was paint?

17 A. Yeah.

18 Q. Okay. You mentioned that in some cases the paint was
19 solid, is that correct, or was it always a liquid?

20 A. Sort of a liquid, yes.

21 Q. Was there -- did you ever notice a sludge material on
22 the bottom of the drums as opposed to a separate liquid
23 layer?

24 A. No.

25 Q. Do you know if whether these drums had been stored or

1 were sitting, you know, standing still at the facility
2 for a number of months or was this material --

3 A. You mean Stevick's landfill?

4 Q. No, at McGraw Edison.

5 A. No, it seemed like they bring them out and we would see
6 they had seven or eight and take them away.

7 Q. Okay. Do you remember whether there was any other
8 material in the drums other than paint?

9 A. Well, I say there was floor sweepings, band iron, some
10 other miscellaneous styrofoam things that may be from
11 packing.

12 Q. Okay. So more general refuse kind of thing?

13 A. Yeah.

14 Q. Do you remember whether there was any other liquid
15 material in the drums, for example, used oil or grease
16 cleaners of any kind?

17 A. No, no.

18 Q. When you brought the drums out to -- or from McGraw
19 Edison out to the landfill, did you stop at any point
20 in between?

21 A. No.

22 Q. Usually when you brought material out to Stevick's
23 landfill, did you talk to anybody at the landfill as to
24 where the materials should be placed?

25 A. Yes, there would be someone to direct them where to put

1 the barrels at.

2 Q. And where would they normally direct you to put the
3 barrels?

4 A. The site changed so much over time.

5 Q. Okay. Approximately how many years did you pick up
6 material at McGraw Edison and take it to the
7 Albion-Sheridan Landfill?

8 A. Probably 12, 15 years.

9 Q. And were your pickups fairly consistent throughout that
10 time or was there a period when you would bring that
11 material to another landfill?

12 A. No, to my recollection, Stevick was the place we took
13 them to.

14 Q. Okay, so on the average, you picked up seven or eight
15 drums a week for 12 to 15 years and brought those
16 drums --

17 A. Not every week, maybe in there.

18 Q. Every other week?

19 A. Yes.

20 Q. And you brought that material then to the
21 Albion-Sheridan Township Landfill?

22 A. Right.

23 Q. You mentioned that the location where you would place
24 the drums when you got the landfill changed over time.
25 Beginning with the, say, the first three or five years

1 when you brought drums out from McGraw Edison, where
2 would you place those drums, do you remember?

3 A. Seems like they had a roadway in there, a gate and just
4 went in there and placed them in the landfill area.

5 Q. Was it dug like a pit or was it just on the surface?

6 A. Somewhere it might be a pit, yes.

7 Q. Do you know whether drums were buried out there?

8 A. I don't know.

9 Q. When you would go out there, would you see the drums
10 that you brought the week before out there?

11 A. I don't know.

12 Q. Do you ever remember driving down the driveway that
13 goes into the landfill, the dummy area, and as you were
14 driving in to drop off the drums do you remember seeing
15 any drums already there?

16 A. No.

17 Q. Do you know whether there were any other companies that
18 used that landfill for disposing of their waste?

19 A. The City of Albion and the two townships, they had
20 industries that delivered material out there.

21 Q. Were the containers ever returned from McGraw Edison,
22 in other words, did you ever bring material, paint,
23 waste from McGraw Edison out to the landfill, dump the
24 material and bring the drums back?

25 A. No.

1 Q. You always left the drums out there?

2 A. Yes.

3 Q. Do you ever remember seeing a liquid pond or disposal
4 area out at the landfill?

5 A. No.

6 Q. Did Blyveis ever pick up drums from anybody else, any
7 other industries in town?

8 A. No.

9 Q. Did Blyveis ever pick up any drums from anywhere and
10 bring them out to the landfill other than McGraw
11 Edison?

12 A. Once in awhile somebody would have a few surplus of
13 barrels with the tops on them and we would purchase
14 them to put our scrap copper, or aluminum, brass,
15 copper in these drums; but they were clean drums, they
16 had to be clean drums so buy that one and cut the heads
17 out.

18 Q. So you would buy empty drums, cut the heads off and
19 fill them with your scrap material?

20 A. Yep.

21 Q. And what would you do with the drums then?

22 A. We would place scrap copper, copper wire, brass
23 fittings from the plumbers, lead from the plumbers and
24 various other aluminum from the households, the dinner
25 plates aluminum.

1 Q. And you put those in the drums?

2 A. Yes.

3 Q. And then what would you do with the drums then?

4 A. We would take them in the Detroit area and sell the
5 material and bring them back at least 12, 14 drums so
6 we could keep on using them.

7 Q. Did you ever bring those drums out to the landfill?

8 A. No.

9 Q. You mention that there was some other industries that
10 used the landfill.

11 Do you know specifically whether any industries
12 brought materials in drums, 55 gallon drums?

13 A. No, I don't.

14 Q. What industries do you remember seeing using the
15 landfill?

16 A. Union Steel, Corning Glass Works.

17 Q. Do you know what kind of material those two companies
18 brought out there?

19 A. No.

20 Q. Do you know of anybody that would know what kind of
21 material they brought there?

22 A. No, I don't.

23 Q. You mentioned that you would pick up batteries from
24 companies in town, gas stations, service stations?

25 A. Yes.

- 1 Q. Do you remember specifically the names of any of those?
- 2 A. The Shell Station, Sinclair Station.
- 3 Q. Sinclair Oil?
- 4 A. Yes.
- 5 Q. And are they still in business?
- 6 A. No. The Golf Oil Station.
- 7 Q. I'm going to read to you a list of some of the gasoline
- 8 stations, at least that are around now, and service
- 9 stations. If you could just say, you know, yes or no
- 10 whether you brought batteries or whether you were
- 11 contracted to salvage their batteries.
- 12 A. Uh-huh.
- 13 Q. Albion Radiator Service?
- 14 A. No.
- 15 Q. Clark Oil?
- 16 A. No.
- 17 Q. Evans Bodyshop?
- 18 A. No.
- 19 Q. Harrison's Car Care?
- 20 A. No.
- 21 Q. Kinzy Automotive?
- 22 A. No.
- 23 Q. Wes's Automotive Service?
- 24 A. No.
- 25 Q. Wolf's Auto Repair?

1 A. No.

2 Q. Zeffer Service Station?

3 A. No.

4 Q. With respect to your clients when you were the sole
5 proprietor of White Hull, if you could just explain why
6 you started that company first.

7 A. I was invited to bid.

8 Q. You were invited to bid?

9 A. On the job, yes.

10 Q. And who were you invited to bid by?

11 A. Albion Malable, Mr. Don Dice was the person at that
12 time.

13 Q. And why did he approach you for a bid?

14 A. Dissatisfied with the other person that was doing the
15 hauling contract work.

16 Q. Why didn't you just have Blyveis do that work?

17 A. Well, we were not in the hauling business, we had
18 different type of equipment.

19 Q. Different time of equipment than what would be needed
20 for your work at Albion Malable?

21 A. Yes.

22 Q. And what kind of equipment did you need for Albion
23 Malable?

24 A. Different type of dump truck, front end loaders.

25 Q. And you didn't have that equipment for Blyveis I take

1 it?

2 A. No.

3 Q. How many people worked for you at White Hull?

4 A. Two.

5 Q. Do you remember their names?

6 A. William Sanders, he was there when I took over. And
7 the other two didn't last very long. Dick Teamin.

8 Q. Was there any other reason why you didn't use Blyveis
9 to haul material from Albion -- Albion Malable?

10 A. No, we didn't haul anything from Albion Malable.

11 Q. Was there any other reason, other than the equipment,
12 why you didn't haul that material from --

13 A. I don't understand your question now.

14 Q. You said that the reason you didn't use Blyveis to haul
15 material from Albion Malable was because you didn't
16 have the right equipment?

17 A. Yes.

18 Q. Is there any other reason?

19 A. Not that I can think of, no.

20 Q. How many trucks did you have at White Hull?

21 A. Four.

22 Q. And were they all the same kind of trucks?

23 A. Tandem dump trucks, yes.

24 Q. Did you ever have -- did you ever use tank trucks?

25 A. No.

1 Q. Again, what kinds of material did you haul from
2 Hayes-Albion or Albion Malable?

3 A. Waste foundry sand.

4 Q. Do you know what was in waste foundry sand?

5 A. No. It was a seal coat, kind of oil for the mold is
6 all I know.

7 Q. And it's called what, seal coat?

8 A. Yes.

9 Q. Is that C-E-A-L dash?

10 A. S-E-A-L, something.

11 Q. Could you describe foundry sand, I mean what exactly is
12 it?

13 A. They bring it from the -- from Chicago, Lake Michigan.
14 They bring the sand from there into the silos and add
15 ingredients to it so it would compact. People make a
16 fist and they make a mold out of it so it's -- and make
17 castings out of it. All foundries use it.

18 Q. Use that kind of sand?

19 A. Uh-huh.

20 Q. What were the ingredients that they added to it, do you
21 know?

22 A. No, I don't.

23 Q. Do you know anybody that would know?

24 A. Probably a metallurgist.

25 Q. Okay, but nobody in particular that worked for you or

1 that worked at Albion Malable?

2 A. No.

3 Q. Approximately how much sand did you haul from Albion
4 Malable to the landfill?

5 A. We did not haul Malable sand to the Stevick landfill.

6 Q. Where did you haul it to?

7 A. A man named -- West Michigan Avenue. Nate Copick,
8 C-O-P-I-C-K, I think, Copick.

9 Q. Did you ever haul any sand at all from Albion Malable
10 to the Stevick landfill?

11 A. No.

12 Q. Did you haul anything from Albion Malable to the
13 Stevick landfill?

14 A. Yes.

15 Q. And what was that?

16 A. After they shut down, our little incinerator for the
17 office papers, all this stuff, they had to put it in a
18 special bin and we had -- not a special truck but a
19 special truck to put these papers in there, and cover
20 them up, and take them out to Stevick's landfill, that
21 was the only -- there was some wooden pallets,
22 expendable pallets, wooden pallets.

23 Q. You're referring to the wood pallets that have boards
24 on top that you normally put -- so you can move them
25 around with a forklift?

- 1 A. Yes.
- 2 Q. Is there any other material that you bought out there
- 3 from Albion Malable?
- 4 A. No.
- 5 Q. What about after they changed to Hayes-Albion, do you
- 6 know whether any material was brought out to the
- 7 Albion-Sheridan Township Landfill?
- 8 A. No.
- 9 Q. Do you remember any of the names of any of your
- 10 competitors for Blyveis, in other words, do you
- 11 remember the names of any other companies that did
- 12 basically the same thing Blyveis did but for other
- 13 industries?
- 14 A. There was scrap processing plants in every city: I mean
- 15 one in Albion here, Chapman Iron and Metal.
- 16 Q. Excuse me?
- 17 A. Chapman Iron and Metal.
- 18 Q. Chapman?
- 19 A. Yes.
- 20 Q. Do you know if they're still around?
- 21 A. No, they're not.
- 22 Q. They're not?
- 23 A. No.
- 24 Q. Do you know who ran that company?
- 25 A. I think Francis Chapman was his name.

- 1 Q. Is he still around, do you know?
- 2 A. I'm not sure.
- 3 Q. Can you remember any other companies?
- 4 A. Not in Albion, no.
- 5 Q. Outside of Albion?
- 6 A. Outside Albion, yes, Battle Creek there were two and
- 7 Jackson there were two.
- 8 Q. And they were direct competitors with Blyveis?
- 9 A. Not in that real sense.
- 10 Q. But they would service the Albion area?
- 11 A. They would make calls, yes, they would make calls in
- 12 Albion.
- 13 Q. They would like to service the Albion area?
- 14 A. Yeah.
- 15 Q. Okay.
- 16 A. They kept you honest in other words.
- 17 Q. Do you remember the names of those companies?
- 18 A. Jackson Iron and Metal, Glick Iron and Metal.
- 19 Q. Pardon me?
- 20 A. Glick.
- 21 Q. And that was also Jackson?
- 22 A. Yes.
- 23 Q. Do you know whether those companies are still in
- 24 business?
- 25 A. Jackson Iron and Metal is, yes.

1 3Q. And you mention there were a couple in Battle Creek as
2 well?

3 A. Yes. Central Iron and Metal and Franklin Iron and
4 Metal. Central is no longer in business.

5 Q. Do you know whether any of those companies used the
6 Albion-Sheridan Township Landfill?

7 A. No.

8 Q. And did they -- basically they would pick up the same
9 type of material that Blyveis would salvage, I mean
10 they were all in the metal and scrap business?

11 A. They were competitors, but they weren't picking up
12 anything at that particular time. Most of the time
13 that we were in business, they were just here and
14 different people want to get different prices so they
15 would call them to verify some prices.

16 Q. Okay. Did they bid for, for example, when you picked
17 up material from McGraw Edison, did any of those
18 companies also bid to do the McGraw Edison work?

19 A. '75, '76, there was a different type of arrangement up
20 there. We lost a contract and they -- the person that
21 got the contract put the bid out to say Glick or
22 Jackson and they would pick up the scrap.

23 Q. Do you know who got that contract?

24 MR. BARBIERI: Don't guess if you don't know.

25 THE WITNESS: I don't know.

1 MR. LINDLAND: Okay.

2 Q. (BY MR. LINDLAND) Do you know whether any other
3 companies used the Albion-Sheridan Township Landfill in
4 the Albion area here?

5 A. No, I don't.

6 Q. Do you know whether the Albion College used it?

7 A. Yes, they did.

8 Q. Do you know what kind of material they brought out
9 there?

10 A. No. If I said same thing, paper, probably be close as
11 anything.

12 Q. Okay. Do you remember seeing any Albion College trucks
13 out there?

14 A. Yes, this was the type of material they had in it,
15 that's the only thing I can remember about Albion
16 College.

17 Q. General refuse kind of material?

18 A. Paper, office paper type stuff.

19 Q. Okay. You mentioned Union Steel?

20 A. Yes.

21 Q. What about Decker Manufacturing?

22 A. They may have taken stuff out there.

23 Q. But you don't know for sure, you never saw any trucks
24 out there?

25 A. No.

1 Q. Do you know whether any of the local gas stations or
2 service stations used the landfill?

3 A. I have no idea, really.

4 Q. Approximately how many times did you visit that
5 landfill?

6 A. Personally? I would think Saturday's clean up around
7 our home and that type of thing, several times a year.

8 Q. And during those visits out to the landfill, do you
9 remember seeing any drums of material out there?

10 A. Not really, no.

11 Q. Okay. You mentioned too that Corning Glass used that
12 landfill?

13 A. Yes.

14 Q. What type of material did they bring out there, do you
15 remember?

16 A. No, it was just like general floor sweepings and
17 things.

18 Q. Do you remember seeing a truck out there that had
19 Corning's name on it?

20 A. Yes.

21 Q. And that's how you know that they used the landfill?

22 A. Uh-huh.

23 Q. In your interview, again, with Paul Rogers, you mention
24 there was a white slurry that you thought Corning
25 brought out to Copick's landfill?

- 1 A. Okay.
- 2 Q. Do you remember saying that?
- 3 A. Yes.
- 4 Q. Do you know whether that white slurry was also brought
5 to the Albion landfill?
- 6 A. No.
- 7 Q. You don't recall seeing it there or you don't know
8 whether it was there?
- 9 A. I don't recall going to the Albion landfill.
- 10 Q. Do you remember seeing it go to Copick's landfill?
- 11 A. Yes.
- 12 Q. And exactly how did you see that happen, was it with
13 the trucks out there?
- 14 A. Sunday's I would go out myself and pick up the truck
15 and take the truck out there.
- 16 Q. You would take what truck, your truck?
- 17 A. Yes.
- 18 Q. And pick it up from Corning and take it to Copick's
19 landfill?
- 20 A. Yes.
- 21 Q. But you would never bring that material to the
22 Albion-Sheridan Landfill?
- 23 A. Not to my knowledge no.
- 24 Q. Did anybody that worked for Blyveis ever take material
25 out to that landfill?

- 1 A. Not to my knowledge.
- 2 Q. You mentioned, I guess I didn't write it down,
3 employees at Blyveis; I may have asked you this
4 already. Could you list the people that worked there
5 while you were president?
- 6 A. Pardon?
- 7 Q. While you were president at Blyveis?
- 8 A. Lloyd Mosher, he retired prior to my coming president.
9 Sylvester Munjin, not retired, workers comp.
- 10 A. Clyde VanSchoick.
- 11 Q. What was Clyde's title?
- 12 A. He was crane operator.
- 13 Q. Did he ever pick up material from the industries, do
14 you know?
- 15 A. Not too often.
- 16 Q. But he did on occasion?
- 17 A. Yes.
- 18 Q. Is Clyde still in the Albion area?
- 19 A. He's deceased.
- 20 Q. Is there anyone else that you can recall?
- 21 A. J.D. Peedler.
- 22 Q. And what was his title?
- 23 A. He was laborer, mechanic.
- 24 Q. Is he still in the Albion area?
- 25 A. No.

- 1 Q. Do you know where he is?
- 2 A. No, I don't.
- 3 Q. Anybody else?
- 4 A. No. Henry Petters, he was the last one.
- 5 Q. P-E-T-T-E-R-S?
- 6 A. Yes.
- 7 Q. And what was his title?
- 8 A. Laborer.
- 9 Q. Is he still in the Albion area?
- 10 A. No, he's deceased.
- 11 Q. Does the name Guy Gibson ring a bell?
- 12 A. Yes.
- 13 Q. Was he employed at Blyveis?
- 14 A. Yes.
- 15 Q. Do you know what his title was?
- 16 A. Laborer/truck driver.
- 17 Q. Do you know if he's still in the area?
- 18 A. Yes.
- 19 Q. He is?
- 20 A. Uh-huh.
- 21 Q. Was there a gentleman by the name of Bob, his first
- 22 name is Bob, I don't know what his last name is, he was
- 23 from Battle Creek?
- 24 A. Yeah, Bailey.
- 25 Q. Bailey?

- 1 A. Yeah.
- 2 Q. Does he still live in Battle Creek?
- 3 A. To my knowledge, yes.
- 4 Q. And what was his title?
- 5 A. Truck driver.
- 6 Q. Do you know how to spell Bailey, B-A-I-L-E-Y?
- 7 A. Yes.
- 8 Q. Do you recall any names of the employees out at the
- 9 Albion-Sheridan Township Landfill --
- 10 A. No.
- 11 Q. -- other than Gordon Stevick, the owner?
- 12 A. No, I don't. One gentleman there I don't know if he's
- 13 still around out there or not. I don't know what his
- 14 name was. He lived on property there, but I don't
- 15 know.
- 16 Q. He lived on the property?
- 17 A. Yes.
- 18 Q. Do you recall any names of employees of your
- 19 competitors of Blyveis, I mean that may have used the
- 20 landfill?
- 21 A. No.
- 22 Q. Again, during your interview with Paul Rogers of EPA's
- 23 office, you mention that McGraw dealt directly with
- 24 Gordon Stevick with respect to -- was that for payment
- 25 of disposing the drums out at the landfill?

1 A. Yes.

2 Q. And, first of all, why did they deal directly with
3 Stevick and not with you?

4 A. I don't remember the circumstances, I don't know why.

5 MR. BARBIERI: Don't guess if you don't know.

6 THE WITNESS: I don't know.

7 Q. (BY MR. LINDLAND) Okay, do you know exactly what
8 happened, I mean how would they arrange for the payment
9 of disposal?

10 A. I don't know.

11 Q. Were you paid by McGraw Edison to pick up the drums?

12 A. No.

13 Q. Why would you pick up the drums at McGraw Edison?

14 A. When they'd start having scrap cardboard and whatever
15 came about, it was sort of a, per se, reciprocal deal
16 where I would pick up the cardboard, remove it; and
17 there was some value to this cardboard. And then
18 compensation for taking the barrels out offset the time
19 or whatever it was to take the barrels out. We were
20 not paying for the scrap cardboard, so there wasn't any
21 transaction there.

22 Q. Okay. So it was, in effect, a trade: the cardboard for
23 your services?

24 A. Yes.

25 Q. To take the drums out?

1 A. Yes.

2 Q. And for the actual disposal cost associated with
3 disposing of the drums at the landfill, McGraw dealt
4 with Gordon Stevick directly; is that right?

5 A. Yes.

6 Q. Okay. Is there any other company that you had this
7 sort of an arrangement with?

8 A. No.

9 Q. I may have asked you this question already: when you
10 were working or when White Hull was in operation, did
11 they ever take any drums or any material from
12 Hayes-Albion to the Albion-Sheridan Landfill?

13 A. No.

14 MR. LINDLAND: Okay, I have no further questions.

15 (Deposition concluded around 3:15 p.m.)

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1 STATE OF MICHIGAN)
2) ss.
3 COUNTY OF JACKSON)

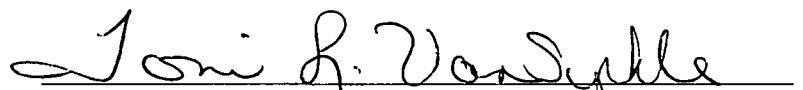
4 I, Toni L. VanSyckle, a Notary Public in and
5 for the above county and state do hereby certify that the
6 deposition of DONALD HULL, was taken before me at the time
7 and place hereinbefore set forth; that the witness was by me
8 first duly sworn to testify to the truth, the whole truth
9 and nothing but the truth; that thereupon the foregoing
10 questions were asked and foregoing answers made by the
11 witness which were duly recorded by me stenographically and
12 later transcribed by means of computer-aided transcription,
13 and I certify that this is a true and correct transcript of
14 my stenographic notes so taken.

15 I am not of counsel to either party nor
16 interested in the event of this cause.

17

18

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Notary Public, Jackson County, Michigan

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22 My commission expires March 14, 1994.

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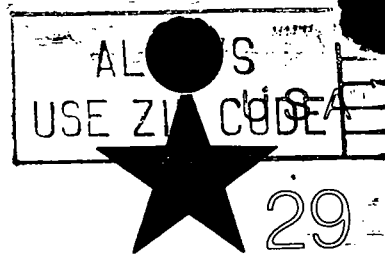
D. H. Hull
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Albion, mi 49224-2011

K. Lindland

SECTION
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VERIFICATION OF DEPONENT

I, DONALD HULL, having read the foregoing deposition consisting of my testimony at the aforementioned time and place, do hereby attest to the correctness and truthfulness of the transcript, with the exception of the corrections, if any, attached herewith.

(Signed) Donald H. Hull

Subscribed and sworn to before me
this 30th day of June, 1990. 1992

Norma J. Kalenchick
Notary Public, Calhoun, Michigan

City of Albion
NORMA J. KALENCHICK
NOTARY PUBLIC
CALHOUN COUNTY, MICHIGAN
My Commission Expires Mar. 22, 1994

My Commission Expires 3-22-94.

	PAGE	LINE	SHOULD BE:	SHOULD NOT BE:
1				
2	PAGE			
3	7	18	WHITE-HAUL	WHITE HULL
4	7	24	ABIAN MALLEABLE	MALABLE
5	15	9	FARM	FIRE
6	15	23	SYLVESTER MUNGEON	SYLSTER MUNJIN
7	16	6	PURCHASING AGENT	PERSON AGENT
8	23	16	THEIR LITTLE	OUR LITTLE
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